

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

JAMES R. HEARNS, JR.,	:	Case No.	1:02cv00496
	:		
Plaintiff,	:	(Judge Bertelsman)	
	:		
vs.	:		
	:		
JEFF WYLER FAIRFIELD, INC., <i>et. al.</i> ,	:	PLAINTIFF'S UNOPPOSED	
	:	MOTION FOR EXTENSION	
	:	OF TIME TO FILE RESPONSE	
Defendants.	:	TO DEFENDANTS' MOTION	
	:	FOR SUMMARY JUDGMENT	
	:		

Now comes Plaintiff, James R. Hearn, Jr., and hereby moves this Honorable Court for an extension of time to file his response to Defendants' Motion for Summary Judgment that was originally due on June 20, 2005.

In order to adequately respond, Plaintiff's counsel will need to review and reference the transcript of Plaintiff's deposition. Defendants have made reference to Plaintiff's deposition as support for its motion for summary judgment.

Plaintiff is indigent and does not have the funds to purchase a transcript from the court reporter. Therefore, Plaintiff's counsel will need to review the transcript filed at the clerk's office in order to adequately respond.

Defendants' counsel filed the transcript on June 17, 2005. Plaintiff's counsel spoke to Defendants' counsel, H. Elizabeth Mason, who indicated she would not oppose the requested extension of time.

WHEREFORE, Plaintiff moves this Honorable Court for an extension of time until June 28, 2005, to file his response for Defendants' motion for summary judgment.

Respectfully Submitted,

/s/ Bryan R. Perkins
Bryan R. Perkins (0061871)
Counsel for Plaintiff
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CERTIFICATE OF SERVICE

I certify that on June 20, 2005, I electronically filed the foregoing motion with the Clerk of Courts using the CM/ECF system which will send notification of such filing to Donald White, Nichols, Speidel & Nichols, 237 Main Street, Batavia, Ohio 45103.

/s/ Bryan R. Perkins

Bryan R. Perkins
Attorney at Law

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

JAMES R. HEARNS, JR.,	:	Case No.	1:02cv00496
	:		
Plaintiff,	:	(Judge Bertelsman)	
	:		
vs.	:	ENTRY GRANTING	
	:	PLAINTIFF'S	
JEFF WYLER FAIRFIELD, INC., <i>et. al.</i> ,	:	MOTION FOR EXTENSION	
	:	OF TIME TO FILE RESPONSE	
Defendants.	:	TO DEFENDANTS' MOTION	
	:	FOR SUMMARY JUDGMENT	
	:	(New Due Date June 28, 2005)	

For good cause shown, Plaintiff Motion for Extension of Time to File a Response to Defendants' Motion for Summary Judgment is hereby GRANTED.

Plaintiff's Response is now due on June 28, 2005.

J U D G E